

extrajudicial killings, and who have been qualified as "public enemies"; publicly commenting on the human rights practices of Turkey; and commenting on the Kurdish situation. Information indicated that the lawyers were tried under emergency legislation, had suffered economic sanctions and/or were pressured, harassed, tortured, or became the target of "unknown perpetrator" killings.

A second urgent appeal was sent on behalf of a lawyer and Vice-President of the Turkish Human Rights Association (IHD) and President of its Diyarbakir branch, who was detained and interrogated under the threat of torture. Information indicated that the Diyarbakir IHD office had been searched and magazines, books, and correspondence confiscated. It was alleged that the lawyer had been detained solely on account of his work as a human rights advocate.

A third appeal was sent on behalf of a judge who resigned from a case in November 1997 because of alleged intense pressure to influence the case from some foreign and Turkish institutions and politicians. The judge was presiding over the trial of nine police officers who were charged with the death of a "leftist" journalist. The government replied that the judge had asked to resign as he claimed to be under pressure from public opinion, the media, the press and other circles, including some political parties. He also claimed that he had been receiving letters and telephone calls from Istanbul, Ankara, and Australia, and that he had been hurt and disturbed by local and foreign reports that he had been bribed. The government added that the judge had declared his unwillingness to continue to preside over the trial as he had not been in a position to maintain his impartiality. The judge's request to be excused from the case was being considered by the Sandikli High Criminal Court. The SR noted that it was not clear what steps the government had taken to protect the judge from inappropriate and unwarranted interference with the judicial process, as provided in principle 4 of the UN Basic Principles on the Independence of the Judiciary.

The SR also intervened in the case of the lawyer, writer, and doctor of philosophy (see under "freedom of opinion and expression").

Religious intolerance, Special Rapporteur on: (E/CN.4/1998/6, paras. 24, 28, 48, 50, 63, 64, 69, 92, 95)

Referring to the importance that the Special Rapporteur attaches to in-country visits, the report notes that the government had not yet responded to a request for an invitation to visit. The SR stated that there are issues in Turkey which need to be examined in depth as soon as possible.

The report refers to violations of freedom of religion and belief against Christianity including controls on, or interference in, religious activities. Reference is also made to decision by one municipality to expropriate part of a Christian cemetery in order to widen a road despite

opposition by a Christian church. Information indicated that some graves were desecrated during the work.

In its replies to allegations transmitted, the government stated that the Bishop who had been named had been convicted by the courts because he had conducted an Easter service at the Bulgarian Orthodox Church of Saint Stephen in Istanbul against the will and wishes of the priest at that church. The sentence of five months' imprisonment and a fine of 250,000 Turkish pounds had been suspended on account of the accused's promise not to repeat such action in future.

Torture, Special Rapporteur on: (E/CN.4/1998/38, paras. 187-193; E/CN.4/1998/38/Add.1, paras. 423-445)

Reports continued to be received of the widespread use of torture in Turkey, including that inflicted upon a significant number of children. According to information, torture was practised against most persons interrogated by the Anti-Terror Branch of the police and the gendarmerie, as well as against many persons detained by the police in ordinary criminal cases. Torture was reportedly administered to extract "confessions", to obtain information, to intimidate detainees into becoming police informants, or as informal or summary punishment for petty offences, or suspected sympathy for illegal organizations. The most common methods, sometimes used in combination, included: administration of electric shocks; hanging by the arms in a variety of positions, including with the arms behind the back ("Palestinian hanging"); spraying with high-pressure water; sexual abuse, including squeezing of the testicles or breasts; beatings with fists, night sticks or sandbags; blindfolding; being stripped naked; and being exposed to extreme temperatures. Much of the most severe torture was said to occur in the early days of detention, so that by the time a detainee appeared in court or underwent a physical examination, there would remain little or no physical evidence that torture had taken place.

The government provided information on the law concerning the protection of persons in detention, which was adopted in March 1997. The law: aims to reduce maximum periods of detention to a level compatible with European and international standards; requires a detainee to be brought before a magistrate within 24 hours of arrest; requires public prosecutors, if they wish to prolong the detention in order to conclude investigations, to obtain the consent of the magistrate; stipulates that for crimes falling within the jurisdiction of the State Security Courts, the period within which the suspect must be brought before a judge is 48 hours although this period may be prolonged for up to four days if there are difficulties in collecting evidence, or for other similar reasons; stipulates that any further extension may only be obtained with the permission of the judge, up to a maximum of seven days, with the exception of regions under the state of emergency where the judge may extend the period up to 10 days; limits the jurisdiction of the State Security Court to crimes against the integrity and authority of the state; allows a judge to withhold infor-